REMARKS

In the prior Office Action, claims 1-5 and 13 are rejected, claims 6-12 and 14-19 are objected to as depending from a rejected base claim, but indicated as being allowable, and claims 20-25 are allowed.

The present Amendment amends claim 1 to include the subject matter of allowable claim 6. Claims 7-10 are amended to depend from claim 1 and claim 6 is cancelled. Accordingly, claims 1-5 and 6-13 are submitted to be allowable over the art of record.

Independent claim 14 is amended to include the subject matter of original claim 15. The prior Office Action indicated that claims 14-19 were objected to but are allowable if rewritten in independent form. However, claim 14 is independent, and claims 15-19 depend from claim 14. Applicant understands the Action intended to refer to claims 15-19 as being objected to but containing allowable subject matter. In view of this Amendment, claims 14 and 16-19 are submitted to be allowable over the art of record.

The specification is amended to provide clear support for the range of the ICG introduced to the patient in the amount of 0.4 mg/kg to about 1.4 mg/kg based on the patient's body weight. Support for this amendment is found in claim 2 as originally filed. Accordingly, the amendment to paragraph 0080 is fully supported by the application as originally filed. Paragraph 0059 is amended to correct clerical errors.

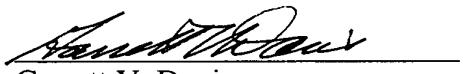
New claims 26-41 are added to recite additional features of the invention. In particular, independent claim 26 is directed to a method of treating cells in the eye of a patient comprising the steps of heating the cells in the target site in the eye to kill at least a portion of the cells in the target site or impede multiplication of the cells, delivering a photosensitive material to the target site and applying a light source to the target site to activate the photosensitive material to treat the cells in the target site. Claims 27-31 depend

from claim 26 to recite heating the cells with a laser beam, where the target site is in the retina, introducing the photosensitive material into the bloodstream of the patient, activating the photosensitive material before, during or after heating the cells in the target site of the retina and reciting specific photosensitive materials, respectively. Support for these method steps is found in paragraphs 0068, 0069 and 0070 on pages 16 and 17 of the specification. Support for the specific photosensitive materials is found in paragraph 0059 on page 12 of the specification. Accordingly, these claims are fully supported by the specification as originally filed. Claims 32-34 are also directed to a method of treating cells in the retina of the eye by directing a laser light beam to the retina to keep the cells in the retina, introducing a photosensitive material to the bloodstream of the patient and applying a second laser light beam to the target site to activate the photosensitive material. These claims are also supported by the specification on pages 16 and 17.

Claims 35-41 are directed to a method of treating cells in the retina comprising the steps of positioning an energy emitting device in relation to the cells in the target site of the retina and directing energy from the energy emitting device to heat the cells in the retina to a temperature above body temperature and below a protein denaturation temperature to kill or impede multiplication of at least a portion of the cells in the target site of the retina. These claims are also supported on pages 16 and 17 of the specification.

New claims 26-41 are submitted to be allowable over the art of record. In view of these amendments and the above comments, allowance of the claims is requested.

Respectfully submitted,



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